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The Trouble with Choice: The Roles of Construction, Authenticity, and Appropriation in
Neoliberal Models of Transgender Identity

Levi C. R. Hord

In *Second Skins*, Jay Prosser points out that “[a]t the end of the millennium [...] gender ambivalence ha[d] come to trope [the] very moment of historical turning” (200) – a reality seemingly confirmed by the explosion of open transgender identifications and genderqueer aesthetics occurring in queer communities today. While I have previously theorized how these identifications may occur and be justified at the level of the individual, I want to move this phenomenon into the context of larger discourses of subjectivity. My intent in this paper is to explore the nuanced networks that allow the doctrines of constructionism and essentialism to move throughout queer cultural spheres. The question of how the philosophies of constructionism and essentialism are deployed in the real world (i.e., in lived experience) differs markedly from that of how the concepts are taken up in theory, and offers us more insight into common tropes that emerge in transgender identity narratives. Beginning by situating my claims in theories of the neoliberal subject, I will look at how discourses of essentialism and constructionism come to be attached to bodies and narratives, and what effect this has on how and what identities can be claimed publicly. I will then use these tensions to explore the concept of “choice” in identity formation, and what implications the radical deconstruction of identity in culture has for the aestheticization of transgender. Moving these claims into the discourse of appropriation, I will demonstrate how these accusations are aptly applicable to the power dynamics of the adoption of transgender by non-transitioning individuals. I will conclude by exploring the impact of this model of identity on queer community formation and practice.

In theorizing an identity that arose at a specific temporal moment, it is useful to work within contemporary understandings of subjectivity, including the motivations that are thought to drive subjects in late capitalism. The idea of individuality, which was defined during the Enlightenment, continues to hold sway over our ideas about subjectivity. Central to discourses of the self under neoliberal consumerism is “the idea that the individual is a naturally occurring unit, that it is preyed upon and entrapped by society, and that true freedom and fulfillment can only be gained by [...] giving individuality uninhibited expression” (Mansfield 18). In our culture overall, as well as in queer and transgender cultures specifically, the status of personal authenticity as an ideal functions to encourage this expression and the self-fulfillment that is said to follow. Joining this ideal with contemporary politics, it becomes clear that “authenticity has been pressed into the service of rendering meaningful and helping to buttress distinctively neoliberal notions of personal responsibility and citizenship” (Foster 101). Narratives of the “self-made” individual work to promote the assumption of identity as authentic while they simultaneously reinforce a culture of individuality in which people are expected to commodify the self. The models of gender identity that I explore in this paper thus rely on a kind of compulsory individuality to find their expression, in which movement towards the authentic self, I will argue, is accessed through the commodification of the symbolism of difference.

My theoretical stance, and that of this paper, is a constructionist one, which holds that institutions such as gender, as well as beliefs about them, are produced by the social (Fuss 4). On a theoretical level, I believe that constructionism best describes the relations of power that impact how identity may be formulated and expressed, especially in its application to narratives of essential or innate identity. While constructionism is often wielded to dismantle the assumed naturalness of essential identity, I believe it can also be effectively applied as an equalizer in

analysis, exposing how both claims of the authentic *and* the constructed nature of gender are predicated on the same basis of social production. The most famous advocate of this position as it applies to gender is Judith Butler. Though somewhat exaggerated in theory, her arguments are worth restating to foreground speculation about how they may be taken up in social relations. In her early and well-known works on gender, she proposes that

[G]ender is in no way a stable identity or locus of agency from which various acts proceed; rather, it is an identity tenuously constituted in time – an identity instituted through a *stylized repetition of acts* [...] the mundane way in which bodily gestures, movements, and enactments of various kinds constitute the illusion of an abiding gendered self. (519)

In describing how gender is performative, Butler stresses that performativity is not synonymous with gender *expression* (externalizing or performing the self). This difference is important within constructionist theories because the notion of performativity itself implies that there is “no preexisting identity by which an act or attribute might be measured; [...] no true or false, real or distorted acts of gender, [as] the postulation of a true gender identity [is] a regulatory fiction” (Butler 528). If the very *constitution* of a gender identity is the performative acts that reference an established self, that self must definitionally be absent – there is, therefore, nothing internal to be expressed. Thus, constructionist theories of gender unsettle assumptions that are ingrained in contemporary understandings of subjectivity – they trouble desires to live authentic lives, to expose personal and corporeal truth, to have agency, to exist as a subject outside of the seemingly repressive forces of society. Constructionism exposes the non-existence of personal identity, making fragile our understanding of selves and others by furthering the theory to insist that performativity reveals identity as naught but “a compelling illusion, an object of belief” (Butler 520). In my experience, Butler’s and other constructionist theories are often taken up as weapons in the arsenal of queer critique, but are rarely reflexively applied to marginal identities

in the way that they are to dominant and oppressive systems of gender¹. Rather, they are sometimes claimed as liberatory for subjects who cannot fit into dominant conventions of gender, with individuals perceiving their difference as indicative of their position outside of the system of performativity. The assumption that cultural subversion (or perceived lived experience of a theory) allows one to transcend the theory's implications is a flawed conception that leads, I believe, to the conflation of constructionism with choice and heightened agency for queer and gender variant individuals. It is in this sense that constructionist ideas are taken up as part of the justification for genderqueer identities in cultural spheres, the destabilized state of naturalized hegemonic identities often serving (quite ironically) as the platform for the assertion of the truth of liminal identities. Constructionism's assertion that society and its structures produce identity is liberating in the sense that it gives queer individuals access to an intellectually defensible attack against the groups from which they may feel personal oppression – it is useful in political arenas, and it represents a way of conceiving of society that allows for the “subversive” to feel as if they are truly acting against a normalizing system. However, constructionism is rarely applied to the full extent in analyses of queer identity; queer always seems to occupy the privileged position of opposition, without direct acknowledgement of the ways in which genderqueer and transgender identities may also be made up of complex series of citations that, while specific to queer aesthetics, still function as performative acts in Butler's sense. It is through the lens of this critique that I analyze both the deployment of constructionism by people with genderqueer/trans identities, and the insistence on the rhetoric of essentialism that underlies even those constructionist leanings.

¹ Butler does, in many instances, apply her theories to “queer” identities, but in ways that make problematic assumptions about many aspects of motivation and lived experience (see Prosser for an extensive critique).

Reliance on essentialist narratives is undoubtedly a product of neoliberal models of selfhood that insist on the privileging of internal truth that comes with the exaltation of the unique individual. The notion of authenticity is used as a justification for *all* identities under this paradigm, from the hegemonic masculinity that is threatened by constructionist discourses to the non-binary subject who capitalizes on their moment of recognition. Especially in current “political correctness” and “free speech” debates, essentialism is used by all sides as a defense against attacks on that which is held personally dear by all – their innate (gendered) sense of self. This has been termed “strategic essentialism” in work on identity politics, and the deployment of such rhetoric for the purposes of debate and justification is clearly strategic and formulated as a direct response to discourses that strive to privilege the non-queer as natural and inherently more “real.” However, it is also common to hear claims of internal *true* identity circulating in queer-specific spaces as part of an accepted narrative of queer and transgender identity formation: the recognition of the essence of the self remains the quintessential first chapter of every coming-out story. The presence of essentialist claims is not inherently a negative thing, especially when it allows marginalized groups access to the social capital that comes with recognized realness. Transgender narratives in particular insist on the authenticity of gender categories (not limited to those of woman and man) because, as Prosser points out, “why hand over gendered realness when it holds so much sway?” (11). Here, it is helpful to consider Diana Fuss’ conceptualization of the essence *as a sign*, that is “historically contingent and constantly subject to change and to redefinition” (20). Employing this idea as part of a constructionist critique, it is possible to access another sense in which queer and trans subjects deploy essentialism even as they are informed by the deconstruction of hegemonic identity: realness functions as a sign, confirming a place in the *reality* of the social order. This application of essence as sign can come into play

strategically (for the benefit of an audience of the non-queer majority) or personally (to define a subject position from which to act). Working within this theory, essentialism loses some of the negative connotations that it has gained from feminist and queer critiques. No longer fundamentally reductive, the use of essence as a sign becomes “predicated on the subject's complex positioning in a particular social field [...] the radicality or conservatism [of such use] depend[ing], to a significant degree, on who is utilizing it, how it is deployed, and where its effects are concentrated” (Fuss 20). Thus, while the use of essentialism in transgender narratives has been critiqued by some queer theorists, it is rare, in my experience, to find queer and trans people who will condemn claims of essence in their community members, as these claims are generally perceived as earnest, as beyond respectable doubt, and as not necessarily reproducing harmful gender essentialisms. To theorists like Prosser, and those who locate meaning in embodied experience, the destruction of realness that constructionism enacts is more dangerous than leaving notions of gendered realness (including their inherent patriarchal and transmisogynistic leanings) in place. “What gets dropped from transgender in its queer deployment to signify subversive gender performativity,” Prosser claims, “is the value of the matter that most often concerns the transsexual: [...] the materiality of the sexed body” (32). Evidently, essentialist claims that highlight the inherent truth of that bodily materiality are important not just as strategic ways of positioning the political subject, but as very personal ways of understanding the realities of one’s existence. In terms of application to non-transitioning non-binary identities, I believe it would be a mistake to assume that the same models fail to apply due to a perceived difference in the visceral experience of embodiment. Rather, as I explored in my last reflection paper, a negotiation of embodied experience is arguably present in these identities, making analogous narratives of essential *experience of* embodiment and essential gendered

subjectivity accessible to these individuals. Even if (as I will explore below) non-transitioning identities are heavily influenced by and connected with perceptions of constructionism, the sign of essence remains an important tool for the translation of transgender subjectivities into cultural spaces.

Having discussed the roles of construction and essence in expressions of gender identity, I wish to extend my analysis to discourses of “choice” – or, rather, the conflation of constructionism with radical choice and self-construction. In most cultural narratives, choice is eschewed: one does not choose to be trans or queer for many reasons, including loss of sympathy, loss of realness in relation to a naturalized norm, and societal anxiety about what Gayle Rubin terms the “domino effect of sexual [or gender!] peril” (14). The deployment of essentialism – especially the many varieties of the “born this way” narrative – help to combat accusations of choice and the loss of cultural respectability that comes with it. More recent expressions of transgender identity, however, threaten to bring “choice” uncomfortably close to the surface. Many oppressive conservative groups have already recognized that this quality is easily attached to non-transitioning identities, resulting in the over-politicization of non-binary (as I have previously explored). These ever more frequent attacks that shake the foundations of all transgender subjects threaten to prompt a multi-front war as skirmishes over the boundaries of the trans community begin. Choice destroys the very notion of authenticity, and often prompts a visceral negative reaction in transgender people (including myself) because in its destruction it tends to leave the categories of cisgender man and woman intact as unchosen; it reveals the fragility and transparency of vulnerable groups while reinforcing the naturalness of the dominant ones. Choice implies a transitory nature, and non-permanence – the very accusation of “picking up and putting on genders at will” that gets lobbed at trans people repeatedly. The fear of being

defined by choice acts as a gatekeeping mechanism, causing countless trans people to rewrite childhoods and formative experiences into standards of proof, into empirical evidence. And while choice has the potential to be a disruptive force if wielded by trans people themselves, it remains so stigmatized as to not be acknowledged as a viable option at all. Non-transitioning identities have been particularly susceptible to the harsh critiques of being a “choice” in a way that is meant to undermine felt realness. They are vulnerable because, I believe, the only perceivable change (or transition) in identity is the claiming of a specific label. Labels are easily identifiable, even within queer communities, as choices – they can in no way said to be pre-discursive, or to be generated by an internal truth.

How, if at all, should choice be acknowledged as a part of transgender identity formation, especially for the non-transitioning subject? The very implications of individual choice are problematic within a constructionist framework. The suggestion of a subject that precedes discourse and can exercise both awareness and agency in choosing what gender to “perform” represents a bad reading of Butler’s theory, and one that she has often argued against. However, it is possible to find a middle ground within performativity between individual choice and complete social imposition that displaces the subject. In fact, Butler suggests that “[t]he body is not passively scripted with cultural codes, as if it were a lifeless recipient of wholly pre-given cultural relations. But neither do embodied selves pre-exist the cultural conventions which essentially signify bodies” (526). If overt and conscious choice is not the best model to describe the way identities are formed and deployed in contemporary cultures, perhaps this tension between choice and cultural predetermination is. The “choice” that would then apply to non-binary identities would not be the sort that is harshly critiqued, but would be a model of restricted choice that is defined by the culture that trans subjects exist within, which includes

predefined sets of labels, aesthetics, and discourses that are dependant on cultural intelligibility. In a more direct application, non-transitioning non-binary identities are expressed according to dominant conventions and aesthetics of queerness, collective notions of subversion, and discourses of identity that determine how subjects are able to access thoughts about their own identities. While, as Butler points out, “[s]urely, there are nuanced and individual ways of doing one's gender,” it holds true even for marginal subjects “that one does [gender] in accord with certain sanctions and proscriptions, [and it] is clearly not a fully individual matter” (525).

This understanding of identity formation within the bounds of culture, as a restricted kind of choice defined by the dominant discourses of queer communities, provides a new lens from which to view the issue of the symbolization of gender transition. Prosser was one of the first theorists to raise the issue of the adoption of the transgender figure by queer communities, claiming that these communities wanted to reap the benefits of transgender’s subversiveness while remaining disengaged from its embodied reality. He states:

One wonders to what extent this queer inclusiveness of transgender and transsexuality is an inclusiveness for queer rather than for the trans subject: the mechanism by which queer can sustain its very queerness – prolong the queerness of the moment – by periodically adding subjects who appear even queerer precisely by virtue of their marginality in relation to queer. (58)

This critique is still extremely applicable, as non-transitioning non-binary individuals (who seem to be able to unproblematically retain their identity as queer) are questioned for their adoption of a transgender sensibility without the definitive experience of dysphoria. While many of these critiques are fueled by personal ire, I believe that the accusations of symbolic implementation have theoretical validity as well. In the manner that Prosser suggests, transgender embodiment has come to signify the ultimate expression of queerness (one could go as far as to say queer *authenticity*). Especially due to the connections being made between trans identity and gendered

authenticity, queer subjects may not only be using transition as a symbol to affirm their own queerness, but to affirm gender ambiguity as the essential embodiment of queerness. This causes an erasure of what might be called “traditional” modes of transgender identity, even as it valorizes the queer subversion that is read onto gender “transgression”. If transgender is defined by bodily dysphoria and the desire to transition away from a gender position, as it has been for decades, then non-transitioning identities appear to only be employing some (the desirable?) facets of transgender identity while remaining outside of specific experiences of embodiment that have been integral to transgender people’s understanding of themselves for generations.

Perhaps a useful distinction to make to describe this phenomenon is that between identity and identification. Identity (while still being acknowledged as a construct) can be understood as a subjective, personal experience of selfhood that cannot necessarily be satisfactorily described by social labels. It is the essential reality that our culture pressures us to reveal and name. Identification, on the other hand, is the adoption of a set of social signifiers and the citation of dominant conventions. It represents the act of expression that is often thought to be intimately tied to identity, but does not have to be. This distinction can be summed up by describing identity as a mode of being (I identify *as*...) and identification as an affinity or attachment to a particular social position and its connotations (I identify *with*...). The difference between the two is often clearly defined by those who subscribe to narratives of bodily authenticity. Prosser talks about the fact that “[t]here is much about transsexuality that must remain irreconcilable to queer: the specificity of transsexual experience; the importance of the flesh to the self [...] a particular experience of the body that can't simply transcend (or transubstantiate) the literal” (59). For Prosser, the transsexual possesses an identity while the queer (non-transitioning) subject simply enacts an identification with the tropes of transition and ambiguity. However, from a theoretical

perspective the line between the two is not entirely opaque. Working within a system of social definition, identification-with is a necessary step that must proceed the “realization” of an internal identity. Phenomenological precursors to performativity theory went as far as to define the body as “an active process of embodying certain cultural and historical possibilities, *a complicated process of appropriation*” (Butler 521, emphasis added). Indeed, the process of appropriation through identification is an apt way to describe the symbolization of transition that Prosser speaks against.

Appropriation describes “the representation of cultural practices or experiences by cultural “outsiders” [and] the use of artistic styles distinctive of cultural groups by non-members” (Matthes 343). It most often applied to describe these occurrences between members of different ethnically-defined cultural groups, and has a strong presence in critical race theory. The problematic nature of appropriation is made clear when cultural symbols, usually invested with a great amount of meaning, are taken and reconfigured in ways which breed “misrepresentation, misuse, and theft of the stories, styles, and material heritage of people who have been historically dominated and remain socially marginalized” (Matthes 343). While acknowledging the genealogy of theories of cultural appropriation and the ways in which appropriation continues to harm many communities of colour and cultural minorities, I believe it is worthwhile to apply the concept to the potential appropriation of “transgender” by non-transitioning individuals. The use of transgender as a label to describe non-transitioning identities may be a legitimate shift in the application of the label and the cultural experiences of gender. However, the pain and confusion prompted by the perceived infringement of non-transitioning people onto hard-won transgender territory must be considered in a comprehensive theorization of how these shifts are taking place. Identification with the stylistics of transition,

and the act of aestheticizing and assuming the surface-level of subversion that is expected to accompany transgender identity, certainly qualifies as appropriation given the above definition². This is especially true in cases where subversion is achieved without the concurrent violence that is often directed towards embodied gender ambiguity and transition. Cultural appropriation is generally thought to be harmful in scenarios where a member of a dominant cultural group is appropriating from a member of a marginalized group, and not vice versa, given the “nature of a dominant cultural group to dominate and impress its culture upon others” (Matthes 347). In many narratives of non-binary identity, this qualifier would nullify accusations of appropriation, as binary transgender people are spoken about as having several privileges that non-binary people do not (including institutional recognition and passing privilege). However, it is also worth returning to the ethos of Prosser’s polemic to consider the ways in which non-transitioning identities may constitute the dominant or privileged group in this paradigm (at the risk of foreclosing the idea that these identities are transgender, which is not my intention). Non-transitioning identities claim many of the recognizable aspects of transgender narratives, but remain for the most part outside of the experience of being read as transgender. While self-marking is spoken of by non-binary folks as a trial of constant misrecognition, it is questionable whether it should be compared to common experiences of violence and the everyday trauma of being read as abnormally gendered. Because of this discrepancy in the readings of bodies, non-transitioning individuals also have more control over the contexts in which they reveal their identity. The spaces that are chosen are often digital ones in which the narratives of non-

² It is important to remember, in speaking of identification and appropriation, that under a constructionist framework these cannot qualify as acts of self-aware agency. Though identification is often juxtaposed with a more natural internal identity, and appropriation juxtaposed with the natural use of symbols in their native cultures, neither identification nor appropriation is an act that exists outside of the same cultural formations that create naturalness. Thus, it may be more accurate to consider appropriation not as an act performed by individuals, but as a system that plays a part in larger networks of identity formation. This distinction will be developed in later work.

transitioning identities are already culturally circulating and accepted. In these ways, it seems as if non-binary people who do not transition avoid many of the undesirable aspects of what transgender is perceived to be, all the while partaking in the desirable recognition of legitimate difference that comes with the increased awareness and celebration of all things trans. As the privileged group, non-transitioning people can be said to appropriate the cultures, aesthetics, and identifications of transgender – even if they are not yet the culturally dominant group.

What stands to be gained from the appropriation of transgender, and why does it appear to be happening at such rapid rates? In her work on identity politics, Jenny Bourne contributes to the description of the trend of claiming labels previously and currently associated with oppression (and, thereby, with social subversion): “Identity Politics is all the rage. Exploitation is out (it is intrinsically determinist). Oppression is in (it is intrinsically personal). [...] Political culture has ceded to cultural politics” (1). Appropriation of transgender in a way that ties personal experiences of gender to larger narratives of oppression and subversion is one very direct way to access a recognized political position in current discourses. In fact, in neoliberal arenas personal experiences of oppression are defined as the only unproblematic positions from which to speak, and therefore appear necessary to the politically conscious who wish to combat noticeable oppression. The method of identification and appropriation that I have described above may represent an increasingly common way of creating a story about the self that accesses privileged authenticity, that plays within the bounds of the citations of performativity, and that reaffirms the place of the unique individual at the center of all political discourse.

It is my hope that the position of the non-transitioning subject will become continuously illuminated through examining the intersections of contemporary identity formation. In a moment when individuality is prized, both essentialist claims of authenticity and interpretations

of constructionism as liberatory are forwarded as part of identity narratives. The use of both discourses can be analyzed with an eye to their implications for cultural perception of transgender identity, and also to the complex system out of which these identities arise. Applying notions of choice, aesthetics, identification, and appropriation as part of a theoretical critique furthers this aim, but may conversely effect further divisions within an already fractured community by relying on essential differences between transitioning and non-transitioning subjects as a theoretical basis. In a moment of political tension that includes many of the personally motivated critiques I mentioned above, making visible the fault lines in a community imbues those fault lines with disproportionate significance. The current state of transgender communities has been noticeably impacted by the addition of identities that likely weren't anticipated when the category was theoretically blown open in the 1990s, and the jury is out on whether these additions represent the beginning of a post-gender future or the downfall of a community defined by sweat and blood. As transgender individuals of every stripe become scapegoats in conservative attacks on neoliberalism, deliberations over relative realness become questionable. As I struggle to move theory into practice, I am wary of accepting a positive stance uncritically for the sake of inclusiveness. However, I do believe that theory may provide valuable tools in the definition of future paths. Adopting a constructionist stance, conceptualizing essence as a sign, and other equalizing techniques that I have attempted to employ may not only confront the use of division as a theoretical object, but will provide a commentary on the problem of self-defined separation as a whole. While the theoretical framework I have used refuses ideas of uncontextualized self-definition, we as queer subjects maintain a measure of control over the intentions of our identity narratives and our actions. Remaining within constraints of the system, our intentions have impacts on the positions and strengths of the communities we align ourselves

with, and those that we separate ourselves from. As theorists, we should strive to destabilize all gender identities, or none at all. As queer and transgender people, it is time to commit to a radical transformation in our definitions of gender and build a community on this basis while retaining critical engagement, or to disengage with notions of difference that do not necessarily affirm our separate sense of self. It is this nuance and balance that I hope to carry, as a lesson from this paper, into future work.

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